

By: Buckingham

S.B. No. 1189

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a municipality to remove territory from an emergency services district following annexation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 775, Health and Safety Code, is amended by adding Section 775.0222 to read as follows:

Sec. 775.0222. EXCEPTION TO MUNICIPAL AUTHORITY TO REMOVE TERRITORY. (a) A district may object to the removal of territory under Section 775.022 if the removal would have the effect of:

(1) reducing the level of emergency services provided to the district territory inside or outside the annexed area; or

(2) reducing district revenue to a level that would:

(A) be insufficient to carry out the district's purposes in territory outside the annexed area; or

(B) require the district to increase the tax burden on territory outside the annexed area in order to maintain current services and commitments.

(b) Notwithstanding Section 775.022, if a district objects to the removal of territory under Subsection (a), the municipality may not remove the annexed territory from the district.

(c) A district that objects to the removal of territory under Subsection (a) shall continue providing services in the territory.

SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2021.